

JC966 U.S. PTO
09/17/01

09-19-01

A

UTILITY PATENT APPLICATION TRANSMITTAL

J1033 U.S. PTO
09/17/01

Address to: Box PATENT APPLICATION Commissioner for Patents United States Patent & Trademark Office Washington, D.C. 20231	Attorney Docket No.	RPC 0467 D
	Inventor(s) or Appln. Identifier	Gerald R. Koefeld William P. Apps' Roger S. Hsu Cyril J. Balfe

1. This application entitled NESTABLE PALLET is:
- a. A new application under 37 C.F.R. § 1.53(b).
- b. X A continuation X divisional or continuation-in-part application under 37 C.F.R. § 1.53(b) of prior application Serial No. 09/376,883 filed on August 18, 1999, entitled NESTABLE PALLET (attorney docket no. RPC 0467PUS).
- c. A new utility application which claims the benefit of provisional application Serial No. , filed on .

Application elements and other attached papers:

2. X Specification (including Claims and Abstract) [Total Pages 19]
3. X Drawings (informal / X formal) [Total Sheets 25]
4. X Oath or Declaration
- a. Newly-executed
- b. X Copy from a prior application (37 C.F.R. § 1.63(d))
5. X Incorporation By Reference: The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Item 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
6. This application is filed by fewer than all the inventors named in the prior application, 37 C.F.R. § 1.53(d)(4).
- a. **DELETE** the following inventor(s) named in the prior nonprovisional application:
- _____
- _____
- b. The inventor(s) to be deleted are set forth on a separate sheet attached hereto.

CERTIFICATION UNDER 37 C.F.R. § 1.10

I hereby certify that this UTILITY PATENT APPLICATION TRANSMITTAL and the documents referred to as attached therein are being deposited on the below date with the United States Postal Service in an envelope as "Express Mail Post Office to Addressee" addressed to: Box Patent Application, Commissioner for Patents, United States Patent and Trademark Office, Washington, D.C. 20231 on:

Express
Mail Label No. EJ 206 388 368 US

Date of Deposit: September 17, 2001

Konstantine J. Diamond
(Type or print name of person mailing paper)

[Signature]
(Signature of person mailing paper)

7. Preliminary Amendment:

- a. ☒ A Preliminary Amendment is attached. However, for purposes of publication, the amendments and new claims 14-33 to be examined for this continuation application have been incorporated into the Application as filed, as well as the new Abstract.
- b. ☒ Cancel in the original application original claims 1-13 of the prior application before calculating the filing fee.
- c. ☐ Please amend the specification by inserting before the first line the following sentence:
 "This is a _____ continuation _____ divisional of copending application(s) serial number _____ filed on _____."
- d. ☐ A Petition to Suspend Prosecution For The Time Necessary to File An Amendment (New Application Filed Concurrently) is attached.

8. Small entity status:

- a. ☐ Applicant claims small entity status.
- b. ☐ Small entity status was claimed in the prior nonprovisional application and such status is still proper and desired.
- c. ☐ Is no longer desired.

9. Fee Calculation:

FOR	NUMBER FILED	NUMBER EXTRA	RATE	CALCULATION S
TOTAL CLAIMS (37 C.F.R. § 1.16(c))	20 -20 =		x 18.00	0
INDEPENDENT CLAIMS (37 C.F.R. § 1.16(b))	3 -3 =		x 80.00	0
MULTIPLE DEPENDENT CLAIMS (if applicable) (37 C.F.R. § 1.16(d))			270.00	
BASIC FEE (37 C.F.R. § 1.16(a))				710.00
TOTAL OF ABOVE CALCULATIONS				
REDUCTION BY 50% FOR FILING BY SMALL ENTITY (NOTE 37 C.F.R. §§ 1.9, 1.27, 1.28)				
\$40.00 ASSIGNMENT RECORDAL FEE (if applicable)				
TOTAL				710.00

10. ☒ A check in the amount of \$ 710.00 is enclosed.
11. ☒ The Commissioner is hereby authorized to charge the additional as well as credit overpayments or charge the following fees (or any deficiency therein) to Deposit Account No. 50-1984 :
- a. ☒ Fees required under 37 C.F.R. § 1.16.
- b. ☒ Fees required under 37 C.F.R. § 1.17.
12. Maintenance of Copendency of Prior Application

☐ A request for extension of time and the appropriate fee have been filed in the pending prior application (or are being filed in the prior application concurrently herewith) to extend the period for response until _____.

- KONSTANTINE J. DIAMOND**
4010 East 26th Street
Los Angeles, CA 90023
Phone: (323) 262-5145
Fax: (323) 269-8506

GERALD R. KOEFELDA et al.

Kan A

Filed under Rule 34(a)